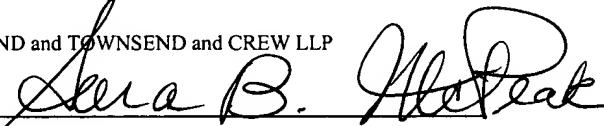


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Washington, D.C. 20231

On October 28, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: 
Sara B. McPeak

PATENT
Attorney Docket No.: 19396-000200
Client Reference No.: D2472

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nathan F. Raciborski et al.

Application No.: 09/665,204

Filed: September 18, 2000

For: QOS BASED CONTENT
DISTRIBUTION NETWORK

Examiner: Unassigned

Art Unit: 2152

**FIFTH SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98**

Assistant Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

The reference cited on attached form PTO-1449 is being called to the attention of the Examiner. A copy of the reference is enclosed. Also enclosed is a copy of the Search Report in the corresponding PCT application. It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and

no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Douglas M. Hamilton
Reg. No. 47,629

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
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DMH/sbm

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2152

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/665,204
		Filing Date	September 18, 2000
		First Named Inventor	Raciborski, Nathan F. et al.
		Group Art Unit	2152
		Examiner Name	Unassigned
Total Number of Pages in This Submission	1	Attorney Docket Number	19396-000200

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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Second Preliminary Amendment	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return Postcard
<input checked="" type="checkbox"/> Fifth Supplemental Information Disclosure Statement & 1449 PTO form	<input type="checkbox"/> Request for Refund	2. 1 Reference
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

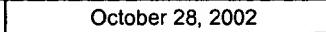
No Fee Transmittal is attached hereto as this 5th Supplemental IDS is being filed prior to the issuance of the First Office Action.

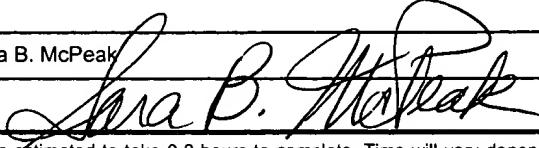
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Douglas M. Hamilton	Reg. No. 47,629
Signature		
Date	October 28, 2002	

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